

### REMARKS

Applicant has carefully reviewed and considered the Examiner's Action mailed September 17, 2008. Reconsideration is respectfully requested in view of the foregoing amendments and the comments set forth below.

By this Amendment, claims 1 and 3 are amended and claim 2 is canceled. Accordingly, claims 1 and 3-4 are pending in the instant application.

Claims 1-4 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the recitation of "the water temperature" was unclear. By the foregoing amendments to the claims, Applicants have clarified the recitation of "the water temperature" in claims 1 and 3. Accordingly, it is submitted that claims 1 and 3-4 are fully definite under 35 U.S.C. §112, second paragraph, and withdrawal of this rejection is requested.

Claims 1-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over KR 93-17678 in view of KR 1994-0002526. This rejection is traversed.

Korean Patent Application No. 93-17678 (hereinafter referred to as "KR-93") is discussed in the Background Art of the present application (page 2, lines 14-20 of the specification). The claimed invention differs from KR-93 by shortening the soaking time over 50% from the 2~4 hours disclosed by KR-93. The claimed invention expressly recites that the washed rice be soaked for **10~60 minutes**, and as a result, the quality of the prepared rice is improved. As described on page 4, lines 5-8 of the present specification, when the soaking time exceeds 120 minutes (as disclosed by KR-93) several drawbacks are produced, for example, the smell of rice bran is incorporated into the boiled rice, causing malodor of the boiled rice, and furthermore, grains of the boiled

rice are collapsed, deteriorating texture and the taste of the rice. The advantages of using the claimed shortened soaking time is supported by the results shown in Tables 2 and 4 of the present application.

Consequently, KR-93 does not overlap the recited range for soaking times in claim 1 of the present application. The soaking time range for the claimed invention is well below that disclosed by KR-93, and one of ordinary skill in the art would recognize that a method with soaking times double the highest claimed range would not produce the claimed invention.

The secondary reference to KR 1994-00002526 (hereinafter referred to as “KR-1994”) recites “selecting, washing, soaking in water and dehydrating a certain amount of polished rice, followed by soaking in about 5~20 times of hot water of 70~100°C”. That is, KR-1994 discloses two soaking periods. The first soaking period does not provide a time, but based on KR-93, one of ordinary skill in the art would have chosen 2~4 hours to evenly absorb the water as disclosed by KR-93.

The Examiner recognizes that KR-93 fails to disclose the claimed washing in a cooling tank, the continuous rice cooker and the dehydration time of original claim 2. Since the text of claim 2 has been added to original claim 1, KR-93 fails to disclose these features as well as the claimed soaking period time. Contrary to the Examiner’s position, KR-1994 does not disclose the claimed drying type. KR-1994 dries its rice using a centrifugal fluid bed drying (centrifugation and hot-air drying) technique and not the claimed vacuum-drying of independent claim 1 of the present application. As explained on page 2, lines 9-14, of the present application hot-air drying results in undesirable shrinkage and other problems. Further, it is submitted that a time for centrifugal fluid

bed drying results in a different drying that the time in a vacuum-drying operation and one of ordinary skill in the art would not consider modifying the method taught by KR-93 with the teachings of KR-1994.

With respect to “charging the dehydrated rice into a continuous rice cooker filler with charging water”, KR-93 discloses dehydrating the rice in air for 30 to 2 hours, which is greater than the claimed range by at least 50%. KR-1994 simply discloses dehydrating without mentioning the claimed dehydrating time that is shorter than the primary reference. It is the Examiner’s position that it would have been obvious to vary the range disclosed by KR-93, without any reference, to a range shorter than that disclosed by KR-93. Applicants submit that one of ordinary skill in the art would not have modified KR-93 to soak the washed rice in soaking for 10~60 minutes to evenly absorb water, followed by dehydrating in air for 3~20 minutes, as KR-93 teaches against shorter soaking and dehydration times. It is only from reading Applicants’ specification and the advantages of a shorter soaking period and shorter dehydration times that the Examiner would consider modifying KR-93. This is impermissible hindsight reconstruction and is prohibited by U.S. patent law.

Accordingly, it is submitted that independent claim 1 and dependent claims 3-4 are patentable over any combination of KR-93 and KR-1994 because KR-1194 fails to suggest changing the dehydrating time to the claimed range that is very short compared to any such disclosure in the cited prior art. Consequently, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of claims 1 and 3-4 is requested.

Applicants wish to advise the Examiner that the corresponding Korean patent application was patented on December 13, 2004 without any amendments to the claims (Korean Patent Registration No. 10-0462962). Likewise, the Chinese Patent Office and Australian Patent Office both issued patents after examination without any amendments to the claims. Copies of the patent publications and English-language translations of claim 1 when the patent publication is not in the English-language are submitted with the concurrently filed Information Disclosure Statement.

It is believed that no fee is due, however, the Director is authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 31758-213313.

Should the Examiner believe that a conference would advance the prosecution of this application, he is encouraged to telephone the undersigned counsel to arrange such a conference.

Respectfully submitted,

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